

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14958, of the Universal Ballet Foundation, pursuant to 11 DCMR 3108.1, for a special exception under Section 206 to establish a ballet school for 215 students and 30 staff in an R-5-A District at premises 4301 Harewood Road, N.E., (Square 3666, Lot 14).

HEARING DATE: February 22, 1989  
DECISION DATE: February 22, 1989 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of the public hearing on this application, by publication in the D.C. Register, and by mail to ANC 4D and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 4D. ANC 4D, which is automatically a party to the application, by letter dated February 9, 1989, submitted written issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 206. No person or entity appeared at the hearing or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

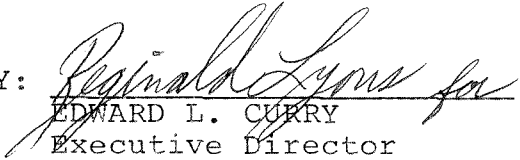
Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 5-0 (Paula L. Jewell, Charles R. Norris, William F. McIntosh, Maybelle Taylor Bennett and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: MAR 2 1989

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14958order/LJP46

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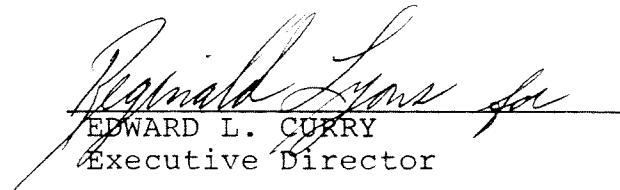


APPLICATION No. 14958

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated 4/18/82, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Grace N. Parke , Esq.  
Graham & James  
2000 M Street, N.W., Ste. 700  
D.C. 20036

Franklyn M. Malone, Chairperson  
Advisory Neighborhood Commission 4-D  
717 Kennedy Street, N.W.  
Washington, D. C. 20011

  
EDWARD L. CURRY  
Executive Director

DATE: 4 21 82